

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
BOSTON DIVISION**

IN RE:	:	
GUY L. GIUFFRE	:	CASE NO. 15-14223 JNF
	:	CHAPTER 13
DEBTOR	:	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUND-VIEW HOME LOAN TRUST 2006-OPT5, ASSET-BACKED CERTIFICATES, SERIES 2006-OPT5 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan, Document I.D. No.16 and states as follows:

1. On October 30, 2015, Guy L. Giuffre (the "Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code in this court.
2. Secured Creditor holds a security interest in the Debtor's real property located at 28 VINEYARD AVE , OAK BLUFFS, MA 02557, by virtue of a Mortgage recorded on April 06, 2006 as Instrument Number 200600002450 of the Public Records of Dukes County, MA. Said Mortgage secures a Note in the amount of \$500,000.00.
3. On December 1, 2015, the Debtor filed a Chapter 13 Plan, Document I.D. No. 16 (the "Plan").
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor, however the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$485,044.07, whereas the Plan proposes to pay only \$5,500.00. Therefore, the Plan is not in compliance with

the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$485,044.07 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Dated at Bloomfield, Connecticut on January 12, 2016.

OCWEN LOAN SERVICING, LLC, AS  
SERVICER FOR DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS TRUSTEE  
FOR SOUND-VIEW HOME LOAN TRUST 2006-  
OPT5, ASSET-BACKED CERTIFICATES,  
SERIES 2006-OPT5

By /s/ Mitchell J. Levine  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 12, 2016 in accordance with Rules 7004, 7005, and 9014 F.R.Bankr.P., I have served the following upon all parties entitled to notice (see attached Schedule "A") by first class mail postage prepaid or electronically:

(1) A copy of the Objection to Plan

Dated: January 12, 2016

OCWEN LOAN SERVICING, LLC, AS  
SERVICER FOR DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR SOUND-VIEW HOME  
LOAN TRUST 2006-OPT5, ASSET-  
BACKED CERTIFICATES, SERIES 2006-  
OPT5

BY/s/Mitchell J. Levine  
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**SCHEDULE A**

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**Guy L. Giuffre**

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*(Debtor)*

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**John Fitzgerald**

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